

## Message Text

UNCLASSIFIED

PAGE 01    WARSAW 00458 180824Z  
ACTION EUR-12

INFO OCT-01 ISO-00 EB-08 /021 W  
-----039751 180831Z /13  
P 180734Z JAN 78  
FM AMEMBASSY WARSAW  
TO USDOC WASHDC PRIORITY  
INFO SECSTATE WASHDC PRIORITY 2758

UNCLAS WARSAW 0458

COMMERCE FOR OFFICE OF EXPORT ADMINISTRATION - RAUER MEYER

E.O. 11652: N/A  
TAGS: BEXP ESTC PL  
SUBJ: REQUEST FOR STATUS OF IBM EXPORT LICENSE APPLICATION, CASE  
NO. 994460

1. DR. HANS KIRCHMEIR, VIENNA REPRESENTATIVE FOR IBM, VISITED  
THE TRADE DEVELOPMENT CENTER JANUARY 13 ASKING FOR THE TDC'S  
INTERVENTION IN A PENDING EXPORT LICENSE CASE.

2. ON AUGUST 18, 1977, IBM/VIENNA MAILED TO USDOC AN APPLICATION  
FOR A TECHNICAL DATA LICENSE RELATED TO SALES OF EQUIPMENT, VIA  
THE FTO METRONEX, TO THE POLISH STATE PLANNING COMMISSION.  
THIS APPLICATION WAS NECESSITATED WHEN THE COMMISSION DECIDED  
LAST SUMMER TO SWITCH FROM A CUSTOMER INFORMATION CONTROL SYSTEM  
(CICS), PREVIOUSLY LICENSED AND SOLD TO THE COMMISSION BY IBM, TO  
A SIMILAR SOFTWARE INFORMATION MANAGEMENT SYSTEM/DATA BASE-DATA  
COMMUNICATION SYSTEM (IMS/DB-DC). AS THIS SWITCH, ACCORDING TO  
KIRCHMEIR, REPRESENTED A MINOR CHANGE, IBM WENT AHEAD AND TRAINED  
COMMISSION PERSONNEL ON THE IMS-DB-DC AND COLLECTED THE APPROP-  
RIATE FEE. AT THE SAME TIME AN APPLICATION WAS MADE FOR THE  
TECHNICAL DATA LICENSE.

3. THE LACK OF APPROVAL OF THIS ROUTINE LICENSE HAS BECOME AN  
IRRITANT TO METRONEX. CONSEQUENTLY, METRONEX IS HOLDING UP THE  
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SIGNING OF AN EXTENSION CONTRACT WITH IBM FOR NEW HARDWARE FOR  
THE COMMISSION AMOUNTING TO \$1.5 MILLION, ALONG WITH ANOTHER  
CONTRACT IBM CAN SIGN FOR A HUTA STALOWA WOLA FORGING PROJECT  
WORTH \$2.0 MILLION. ALSO, JEOPARDIZED IS AN ADDITIONAL CONTRACT  
WORTH \$500,000 FOR THE ENGINEERING SERVICES RELATED TO THE STALOWA  
WOLA INSTALLATION. FOR THE LATTER, IBM IS COMPETING VIGOROUSLY  
WITH THE JAPANESE FIRM KOMATSU. ON TOP OF THIS, KIRCHMEIR WAS

TOLD BY METRONEX JANUARY 11 THAT IBM'S BUSINESS IN POLAND WOULD BE "SUSPENDED" UNTIL THE TECHNICAL DATA LICENSE FOR THE IMS/DB-DC IS OBTAINED.

4. ALTHOUGH KIRCHMEIR SAYS HE IS NOT REACTING SOLELY TO THIS APPARENT THREAT, WHETHER SERIOUS OR NOT, HE IS CONCERNED THE APPLICATION IS TAKING TOO LONG TO APPROVE, ESPECIALLY BECAUSE IT IS SO SIMILAR TO THE ALREADY-APPROVED CICS.

5. OUR VIEW IS THAT KIRCHMEIR'S CONCERN IS REASONABLE. WE REQUEST THAT USDOC PROVIDE US, OR IBM DIRECTLY, WITH A STATUS REPORT ON THIS CASE AS SOON AS POSSIBLE.  
DAVIES

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXPORTS, EXPORT LICENSES, LICENSES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 jan 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Disposition History:** n/a  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**TAGS:** BEXP, ESTC, PL  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014